

Garrett S. Garfield, OSB No. 093634  
E-mail:garrett.garfield@hklaw.com  
**HOLLAND & KNIGHT LLP**  
2300 US Bancorp Tower  
111 SW Fifth Avenue  
Portland, OR 97204  
Telephone: 503.243.2300  
Fax: 503.241.8014

*Attorney for Al-Saeed Trading Company, Y.S.C.*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

PACIFIC GULF SHIPPING CO.,

Plaintiff,

v.

ADAMASTOS SHIPPING & TRADING S.A.  
VIGOROUS SHIPPING & TRADING S.A.,  
BLUE WALL SHIPPING LTD., and PHOENIX  
SHIPPING & TRADING S.A.,

Defendants.

Case No. 3:18-CV-02076-MO

**DECLARATION OF GARRETT S.  
GARFIELD**

I, Garrett S. Garfield, declare as follows:

1. I am a partner in the law firm Holland & Knight LLP, which represents non-party Al-Saeed Trading Company, Y.S.C. ("Al-Saeed"). I make the following declaration based on my personal knowledge and based upon representations by representatives of Al-Saeed.

2. Pursuant to a sales contract with seller Midstar FZE ("Midstar"), dated October 18, 2018, Al-Saeed is the purchaser of approximately 50,000 metric tons of wheat currently on board the

M/V Vigorous. At the time of the arrest in Kalama, Washington, the cargo laden M/V Vigorous, chartered by Midstar, was ultimately bound for the Republic of Yemen to deliver the cargo of wheat.

3. Yemen is currently experiencing a severe food crisis, which has been widely reported in the media. Flat bread made from wheat flour is a staple diet for Yemenis. Yemen is dependent on imports because it has no domestic grain production.

4. The wheat on board the arrested M/V Vigorous is for direct distribution upon its arrival in Yemen. Al-Saeed has several continuous contracts and dealings with many organizations in Yemen such as the World Food Programme, International Committee of the Red Cross, International Federation of Red Cross, and Islamic Relief, which distribute food for the starving Yemeni people. Attached to this declaration as **Exhibit A** is a letter dated November 19, 2017 from the World Food Programme to Al-Saeed regarding Al-Saeed's participation in its beneficiaries' ID verification process.

5. The voyage time from Kalama, Washington to Yemen is approximately 35–40 days. Al-Saeed has not finalized distribution of the wheat on board the M/V Vigorous because of the long transit time and because of delays resulting from the arrest of the M/V Vigorous. Once the attachment order is lifted and the vessel departs, Al-Saeed will effectuate its distribution and sales program according to the estimated arrival time of the vessel. Time is of the essence for this perishable cargo.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed December 12, 2018 at Portland, Oregon

By: /s/ Garrett S. Garfield  
Garrett S. Garfield

**HOLLAND & KNIGHT LLP**  
2300 US Bancorp Tower  
111 SW Fifth Avenue  
Portland, OR 97204  
Telephone: 503.243.2300

## CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing DECLARATION OF GARRETT S. GARFIELD to be served on the following person[s]:

David R. Boyajian  
Schwabe Williamson & Wyatt  
1211 SW Fifth Avenue  
Suite 1900  
Portland, OR 97204  
503-796-2943  
Fax: 503-796-2900  
[dboyajian@schwabe.com](mailto:dboyajian@schwabe.com)

Attorney for Plaintiff

Jeremy A. Herschaft  
Keith B. Letourneau  
Blank Rome LLP  
717 Texas Avenue  
Suite 1400  
Houston, TX 77002  
713-632-8653  
Fax: 713-228-6605  
[jherschaft@blankrome.com](mailto:jherschaft@blankrome.com)  
[kletourneau@blankrome.com](mailto:kletourneau@blankrome.com)

Attorneys for Vigorous Shipping & Trading S.A.

Jess G. Webster  
Miller Nash Graham & Dunn LLP  
Pier 70  
2801 Alaskan Way  
Suite 300  
Seattle, WA 98121  
(206) 777-7560  
Fax: (206) 340-9599  
[jess.webster@millernash.com](mailto:jess.webster@millernash.com)

Attorney for Vigorous Shipping & Trading S.A.

M. Christie Helmer  
Sanja Muranovic  
Miller Nash Graham & Dunn LLP  
111 SW Fifth Avenue  
Suite 3400  
Portland, OR 97204  
(503) 205-2464  
Fax: (503) 224-0155  
[chris.helmer@millernash.com](mailto:chris.helmer@millernash.com)  
[sanja.muranovic@millernash.com](mailto:sanja.muranovic@millernash.com)

Attorneys for Vigorous Shipping & Trading S.A.

by the following indicated method or methods:

- ☒ by CM/ECF electronically mailed notice from the Court on the date set forth below.
- ☐ by mailing full, true and correct copies thereof in sealed, first class postage prepaid envelopes, addressed to the parties and/or their attorneys as shown above, to the last-known office addresses of the parties and/or attorneys, and deposited with the United States Postal Service at Portland, Oregon, on the date set forth below.
- ☐ by causing full, true, and correct copies thereof to be hand-delivered to the parties and/or their attorneys at their last-known office addresses listed above on the date set forth below.
- ☐ by sending full, true, and correct copies thereof, via overnight courier in sealed, prepaid envelopes, addressed to the parties and/or their attorneys as shown above, to the last-known office addresses of the parties and/or their attorneys, on the date set forth below.

- ☐ by faxing full, true, and correct copies thereof to the fax machines which are the last-known fax numbers for the parties' and/or attorneys' offices, on the date set forth below.

DATED December 12, 2018.

/s/ Garrett S. Garfield